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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,942	10/31/2003	Kazuo Okada	SHO-0019	8926
23353 7590 11/30/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER DEODHAR, OMKAR A	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 11/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/697,942

Applicant(s)

OKADA, KAZUO

Examiner

Omkar A. Deodhar

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 9/4/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

**FINAL Rejection**

The Response to Restriction filed 9/4/2007 has been received.

According to the Response, Group 2, (Claims 15-33) has been elected with traverse.

Claims 1-14, therefore, are withdrawn from consideration.

Further, the Amendment filed 9/4/2007 has been received. According to the Amendment, Claims 20 and 21 have been amended and no new claims have been added.

Currently, Claims 1-33 are pending in the application, wherein, claims 1-14 have been withdrawn from consideration. Claims 15-33 are hereby examined on the merit.

***Election/Restrictions***

Applicant's election with traverse of Group 2, (Claims 15-33) in the reply filed 9/4/2007 is acknowledged. The traversal is on the ground(s) that the subject matter of all claims is sufficiently related that a thorough search of the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. This is not found persuasive because as indicated in the Requirement for Restriction/Election, Claims 1-14 are drawn to a display-scaling unit classified in Classes 463, subclass 20, and 463, subclass 32, whereas Claims 15-33 are drawn to a display device classified in Class 345, subclass 5.

Consequently, the requirement is still deemed proper and is therefore made final.

***Claim Rejections - 35 USC § 102***

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 15-19 are rejected under 35 U.S.C. 102(b) as being anticipated by McLaughlin, (GB 2,274,010.)**

With respect to Claims 15-17, McLaughlin discloses a gaming machine with a display scaling unit, (Page 3 - "lens means"), that modifies the appearance and/or apparent size of the display means, (Page 1, Lines 30-36 and Page 2, Lines 1-38.) The display scaling means is arranged behind or in the plane of a fascia panel of the apparatus. The disclosed "lens means" includes any optical device capable of modifying a visual image by refraction, reflection or diffraction. Fresnel type lenses are disclosed, (Page 3 Lines 1-9.) Regarding the limitation of a second display means, McLaughlin discloses, with reference to Figure 1 and Page 3 - Lines 26-33, an arrangement that includes a first display 1 and a second display (transparent aperture 6) that enables a player 7 in front of the machine to view the main display 1.

With respect to claims 18-19, McLaughlin's disclosure encompasses various arrangements and movement options for the lens.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaughlin, (GB 2,274,010) in view of Jaffe (US 6,569,018.)**

With respect to claim 20, McLaughlin discloses the invention substantially as claimed, however, does not explicitly disclose the usage of liquid crystal displays, (hereafter: LCD.)

Usage of LCD's in gaming machines is readily recognized in the art. In a related invention, Jaffe discloses multiple display screens utilizing LCD technology, (Jaffe, Col. 3. Lines 30-40.) It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to incorporate LCD's for the purpose of reducing sizes of conventional display devices, (such as a CRT) and reducing power consumption.

**Claims 22-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaughlin, (GB 2,274,010) in view of Kawahara et al. (US 5,506,629, hereafter: Kawahara.)**

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With respect to claims 22-24 and 32-33, McLaughlin discloses the invention substantially as claimed, however is silent regarding the specific arrangement of components that comprise the display scaling unit/mechanism.

Kawahara discloses a projecting-type display apparatus adapted to magnify and project an image generated from an image forming means such as a CRT onto a screen with the use of a projection lens system, (Kawahara, Col. 1. Lines 5-10.) Based on the disclosed field of invention, Kawahara is also directed towards gaming machines that form images on display devices.

Additionally, Kawahara discloses the following features with respect to the display apparatus (interpreted as a display scaling unit):

Lens frame including front and rear portions supporting the lens, (Abstract);

Combination of a pin and holes that set the rotating angle of the frame, (Col. 20. Lines 49-52.),

Long hole formed in a frame base fixed to one face of the frame, so that the frame base is rendered rotatable with respect to a base within the range of the long hole, (Col. 9. Lines 24-30.);

Polygonal cam rotatably supported with a shaft at an eccentric position by the base of the display unit, (Col. 10. Lines 14-28.);

Motor attached to device, (Figure 88, Item 62 & Col. 36. Lines 25-59), where a shaft connected to the motor is inherent;

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An adjusting means for adjusting and fixing the relative angle between the image forming means frame and holder, wherein the adjusting means is constituted of a spring and adjusting screw, (Col. 7. Lines 45-50.);

Figure 4 discloses prior art including a screw boss, (Item 202c), provided on the lens frame with threaded holes, (Col. 3. Lines 26-43.).

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to incorporate the projecting-type display apparatus of Kawahara into McLaughlin's scaling mechanism for the purpose of minimizing fitting costs when adapting to convex and concave type lens faces.

**Regarding claims 25-31, please refer to the rejection of claims 15-19, above.**

#### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omkar Deodhar whose telephone number is 571-272-1647. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OAD

/Corbett Coburn/  
Primary Examiner  
AU 3714